

WSDOT Environmental Justice Guidelines

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Washington State Department of Transportation

WSDOT Environmental Justice Guidelines

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Purpose

Why was this document prepared?

This document was prepared to respond to WSDOT and FHWA needs to document the determination of impacts from a project with respect to Executive Order 12898, Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation Final Order to Address Environmental Justice in minority and Low Income Populations. (*See Appendix A.*)

Appropriate implementation of Title VI, EO 12898 and the DOT Final order will be accomplished through implementation of the FHWA NEPA process. This process includes identifying social and economic effects that are interrelated with natural or physical environmental effects, considering alternatives, coordinating with agencies, involving the public, and utilizing a systematic interdisciplinary approach. Addressing the issues, coupled with full implementation of 23 USC 109(h) (e.g., community cohesion, availability of public facilities and services, adverse employment effects, etc.), will prevent discrimination and disproportionately high and adverse impacts.

This document was written for WSDOT and local agency professionals and agency consultants who assess the impacts of proposed transportation projects on communities, and those who document the process. It is designed to be used as a guide to the users. It outlines the community impact assessment process, highlights the relevant areas that can be examined, and identifies how to utilize tools and information sources.

WSDOT is committed to ensuring that no person in the State of Washington, on the grounds of race, color, sex, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which WSDOT receives federal financial assistance, including, but not limited to, the U.S. Department of Transportation and Federal Highway Administration.

The Role of WSDOT Office of Equal Opportunity

The Office of Equal Opportunity (OEO) is responsible for the administration of WSDOT's Title VI Program, including the implementation of EO 12898. Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, national origin and sex in the provision of benefits and services resulting from federally assisted programs and activities. By definition, WSDOT's Title VI Program is the system of requirements developed to implement Title VI within the Department's Federal-aid Highway process.

The OEO's Title VI Coordinator is charged with the responsibility of monitoring potential Title VI issues on any phase of the Federal-aid highway process. In order to assure equity in WSDOT's services, benefits, and opportunities, different methods may be required depending upon the people affected. For this, the Title VI Coordinator provides technical advice to the Environmental Affairs Office (EAO) to assist in reaching a reasonable solution to any actual or potential issue. If a Title VI violation reaches formal complaint status, the Title VI Coordinator will investigate the issue for resolution.

The Title VI Program follows a systematic interdisciplinary approach where the expertise of the civil rights and other programs officers interact to proactively afford adequate mitigation to an identified adverse impact in a community.

OEO and EAO have been developing this type of interdisciplinary approach in the implementation of Title VI and Executive Order 12898 on Environmental Justice. Both offices exchange technical knowledge on environmental and civil rights legislation and implementation to assure compliance within WSDOT's operation.

This document was developed with the collaboration of OEO and EAO, hoping it will serve the users to avoid violations of Title VI and EO 12898. Technical consultation associated with Title VI or EO 12898 implementation should be addressed through OEO.

Part 1. Introduction

Community Impact Assessment — What is it?

Community impact assessment is a tool to evaluate the effects of a transportation action on a community and its quality of life. Its information is used to mold the project and provide documentation of the current and anticipated social and economic environment of a geographic area with and without the action. The assessment should include all items of importance to people, such as mobility, safety, employment effects, relocation, isolation, and other community issues.

Importance — Why assess community impacts?

Transportation investments have major influences on society, with substantial environmental, economic, and social consequences. However, in many instances in the past, impacts on people have not received the attention they deserve. The community impact assessment process alerts affected communities and residents, as well as transportation planners and decision-makers, to the likely consequences of a project, and ensures that human values and concerns receive proper attention during project development. Specifically, community impact assessment is important for:

Quality of Life

- The assessment of community impacts supports sustainable, livable community; promotes community values and thriving neighborhoods; and contributes to general well being.

Responsive decision-making

- The assessment of community impacts helps ensure that transportation policies and projects consider community concerns, minimize conflict, and promote the resolution of potential problems.

Coordination

- Community impact assessment helps integrate the plans for land use, economics, and transportation to achieve common goals and assist communities in meeting federal

civil rights legislation along with state and local regulations, such as zoning ordinances, environmental quality regulations, and growth management.

Non-discrimination

- Community impact assessment ensures that we act on our obligation to achieve environmental justice through the practices and procedures that do not discriminate. It alerts decision-makers to the effects on all segments of society and the potential for disproportionately high and adverse effects on protected populations.

Environmental and Human Health

- Community impact assessment helps ensure that transportation projects consider the environmental and health concerns of local residents by avoiding undue impact to the natural and physical environments as well as the health and safety of citizens.

Authority — What are the legal requirements and guidance?

In addition to the practical reasons for community impact assessment, it is legally required and supported by major federal regulations, statutes, policies, technical advisories, and Executive Orders, including:

- Intermodal Surface Transportation Efficiently Act of 1991 (ISTEA).
- National Environmental Policy Act of 1969 (NEPA).
- Title VI of the Civil Rights Act of 1964 and related statutes. *(See Appendix A for more detail.)*
- 23 USC 109(h), Federal-Aid Highway Act of 1970.
- 23 CFR 771, Environmental Impact and Related procedures (1987).
- TA 6640.8A (1987), Guidance for Preparing and Processing Environmental and Section 4(f) Documents.
- Executive Order (EO) 12898 on Environmental Justice (1994). *(See Appendix A for more detail.)*
- Farmland Protection Policy Act (1981), as amended in 1994 (7 CFR 658).
- Uniform Relocation Assistance and Real Property Acquisition Policies Act (1970) referred to as the “Uniform Act”) as amended in 1987.
- FHWA Environmental Policy Statements (1990 and 1994).
- Recommendations of the President’s Council on Sustainable Development (1996).
- The U.S. Department of Transportation Notice of Final Environmental Justice Strategy. *(See Appendix A for more detail.)*
- The U.S. Department of Transportation Final Order to Address Environmental Justice in Minority and Low Income Populations. *(See Appendix A for more detail.)*
- The Federal Highway Administration (FHWA) Policy on Environmental Justice. *(See Appendix A for more detail.)*
- FHWA’s Environmental Policy Statement (1994). *(See Appendix A for more detail.)*

Role — How does community impact assessment fit into project development?

Community impact assessment is integral to the entire project development and decision-making process. For example, the assessment of community impacts, along with other relevant environmental impact studies, helps shape project decisions and outcomes under NEPA.

Within the NEPA process, assessment serves a number of key roles:

- The assessment provides critical information about community values for the formulation of project objectives and the development of alternatives and mitigations. This activity should start at the beginning of the environmental study process, with community goals and concerns serving as major input to a project's purpose-and-need statement. As project alternatives are developed and subsequently refined or eliminated, there should be continuous informal community between the project engineers, scientists, planners, and the community impact analyst so that options reflect community values to the extent possible.
- In selecting a preferred alternative, information from the community impact assessment should be considered as being at least equal to other related environmental studies in making sound project decisions. As decisions are made, the analyst should recommend techniques mitigate potential adverse impacts.
- Finally, the assessment influences the NEPA "significant effects" determination on whether a Categorical Exclusion (CE), Environmental Impact Statement (EIS), or Environmental Assessment (EA) is appropriate. It provides needed information for the CE determination, EA, Findings of No Significant Impact (FONSI), draft EIS, final EIS, and Record of Decision (ROD), and may be summarized or fully incorporated in these documents.

The Assessment Process — What is the process?

The assessment of community impacts rarely flows in a fixed, predictable series of steps. However, the analyst should be skilled in the use of the basic logic behind the process of performing an assessment.

The assessment process incorporates the following components which will be discussed in greater detail in Part 2:

- **Define the Project and Study Area**
In coordination with engineers, develop various project alternatives that satisfy the project purpose and need, and identify areas of potential impact.
- **Use Public Involvement**
Use public participation as a basis to disseminate project information, develop project alternatives as a source of information to help develop the community profile, a tool to identify and evaluate impacts, and a method to identify acceptable ways to address mitigation impacts. Public involvement is an integral element to all of the above steps.

- **Develop a Community Profile**
Determine the characteristics of the affected area, such as neighborhood boundaries, locations of residences and businesses, demographic information, economic data, dynamics, social history of communities, and comprehensive plans. Development of the profile is supported by information collected from a variety of sources.
- **Analyze Impacts**
Examine the impacts to the community of the proposed action versus no action. Identify and investigate the consequences of the transportation alternative(s). A number of analysis tools can be used to examine these relationships and estimate impacts.
- **Identify Solutions**
Identify and recommend potential solutions to address adverse impacts. Techniques include avoidance, minimization, mitigation, and enhancement.
- **Document Findings**
Present the findings of the community impact assessment in written form for use by decision-makers, to record findings, to disseminate to interested parties, and to support subsequent decisions.
- **Reevaluate and Adjust Findings**
Communities are dynamic and constantly changing. As options change, the analyst can make appropriate reevaluations and adjustments in findings, particularly if there are substantial time lapses in project development. Although the steps in the community impact assessment process are logically sequential, they overlap in practice. The assessment process is iterative in the sense that analysis should be prepared to revisit prior steps and be aware of future steps in conducting the assessment. In the early steps, when helping to frame the project and community profile, analysts should think about the probable relationships between the project and community, so that relevant data are collected. Later, if new impacts are identified or decisions are made, the analyst could go back to the community profile and gather additional information or data regarding populations affected.

Part 2. Defining the Project

Project Identification — What is the role of the community impact analyst in defining the project?

Community impact analysts should fully participate in defining the project along with multi-disciplinary teams. Analysts should contribute to developing purpose and need, goals and objectives, project alternatives, suggesting new options based on preliminary indication of likely community issues, and special areas to avoid. These alternatives come from a community perspective, so they may be very different from those of transportation planners, engineers or scientists.

Study Area — What is the scope of the geographic area to be examined?

Each technical analysis (e.g., air quality, traffic, wetlands) may have its own individual study area. Community impact analysts should identify the geographic region that incorporates the communities expected to be affected by the project based on scoping, public involvement, and interagency coordination. This should include the project study area, and may extend beyond it.

The community impact study area typically includes communities within and immediately surrounding the project study area. In addition, analysts should recognize that the project may have social consequences to communities well beyond the immediate geographic area. As a result, the community study area may change as more information is collected and engineering variations are introduced. Public involvement provides important input to help define a project's study area, substantiate its purpose and need, and supply information for developing project alternatives that address identified needs and minimize impacts.

Part 3. Affected Environment / Developing a Community Profile

The Community Profile — What is a community profile?

A community profile is a summary of the history, present conditions, and anticipated future of an area. It provides an overview or series of snapshots of the area and is used as a basis for identifying potential impacts of a proposed transportation action. The profile is used to describe the “affected environment” in NEPA documentation. Typically, the presentation includes the following:

- Map or maps that depict physical characteristics, such as neighborhood boundaries, zoning, land uses, public facilities, commercial centers, recreation areas, etc.
- Narrative text that describes community characteristics, such as population demographics, economic and social history of the communities, the importance of various facilities, businesses, and plans for the future.
- Tables or graphs that summarize important data or conclusions, such as population demographic or employment trends.

Community — How is community defined?

There are many definitions of community. The analyst should consider several definitions, generally based on a geographic or spatial component. Community is defined in part by behavior patterns or beliefs that groups of individuals hold in common. These behavior patterns are expressed through daily social interactions, the use of local facilities, participation in local organizations, and involvement in activities that satisfy the group's economic and social needs. A community is also defined by shared perceptions or attitudes, typically expressed through individuals' identification with, commitment to, and attitude toward a particular identifiable area. In addition, there are other concepts of community that are not based on spatial relationships. Communities may be based on a common characteristic or interest, such as religion, ethnicity, income

strata, or concern for the economic visibility of a region, which provides a psychological unity among members.

Community Identification — How do you identify communities?

The boundaries of a community can often be delineated by physical barriers, freeways, waterways, land-use patterns, political or area of responsibility divisions (e.g., school districts and police precincts), selected demographic characteristics, and resident perceptions. A good starting place for defining communities for the project is the already-defined neighborhoods that are typically recognized by name and/or tradition. The analyst should be aware of other boundaries and consider impacts based on those boundaries (e.g., school districts and project impacts on student populations, and fire districts and project impacts on response times). It may be helpful to ask residents what the boundaries are.

How to Profile a Community — Define community boundaries, and neighborhood or subdivision boundaries.

- Locate the businesses, residences, and activity centers of potential impacts, especially within neighborhoods along the highway alternatives and near interchanges.
- Determine demographic characteristics, economic base, location of community facilities, and other characteristics.
- Learn about community within the study area by comparing local area population demographics, land-use, and other characteristics with state or regional information.
- Continually refine the profile throughout the assessment process as impacts are identified and as situations change over time.

Community Characteristics — How do you profile a community?

The following are examples of the types of data to collect and incorporate into a community profile.

Population and Demographics Characteristics

- Trends in population growth and demographics
- Ethnicity and race
- Age distributions
- Income levels
- Employment status
- Special population subgroups, such as disable populations and immigrant concentrations
- Indian tribal governments, as appropriate
- Institutional facilities (halfway houses, rehabilitation centers, health services)

Economic and Social History/Characteristics

- Community historical background and context
- Community values and issues (e.g., security and solitude)

Economic base (e.g., agriculture, manufacturing, service)

- Property values
- Political boundaries
- Tax base
- Other economic characteristics (e.g., port city, tourism base, lumber town)

Physical Characteristics Relating to Community Activities

- Community centers/activity centers
- Infrastructure (e.g., road, transit, water and sewage systems)
- Public services and facilities (e.g., schools and attendance boundaries, police, fire, libraries, hospitals, corrections)
- Transit dependency and service
- Medical services (hospitals, nursing homes, medical and dental clinics)
- Special areas, historic districts, cultural resources, Section 4(f) resources
- Businesses
- Housing (availability, age, type) , owner/tenant status
- Planned and approved future development
- Community focal points or information meeting places (e.g., places of worship, parks, playgrounds, hair salons, grocery stores, laundromats)
- Cemeteries
- Recreation: parks, recreation areas, recreation trails, and natural landmarks. Include information on:
 - Available activities and facilities
 - Use and number of users per activity
 - Unique qualities
 - Statement of national, state, or local significance as determined by official with jurisdiction
 - Access
 - Ownership
 - Section 4(f) and/or 6(f) resources and applicability
- Pedestrian walkways, bicyclist facilities and equestrian trails
 - Describe location and type of existing facilities, including discussion of local plans.
 - Consider travel times (if available), capacity, circulation, and congestion on other facilities in the region.

- Where new facilities are proposed, include sufficient information to explain the basis for providing them (e.g., proposed bicycle facility is a link in the local plan, or sidewalks will reduce project access impact).
- Consider safety of pedestrians and bicyclists.

Initially, information collection involves gathering general information. As potential impacts are identified later in the process, analysts collect additional data on the community that is targeted to specific needs. The following section of this document describes the process for collecting data and identifies some key information sources.

Part 4. Collecting Data

Gathering Information — What should be considered when collecting data about a community?

Gathering data can be expensive and time consuming. Analysts should identify what data are needed for their specific purpose and that are readily available. In many cases, in-house staff have expertise; in larger communities, various planning agencies and councils of government have information that can easily be obtained. Other sources may be files of other projects, or earlier attempts at the current project, which may then be updated.

When collecting information, it is important to recognize when data were collected, the data sources used, and data reliability. Analysts should use the most up-to-date data available, understand the basic assumptions used in each compilation, and recognize the purposes for which data were originally collected.

Source of Information — Where can it be found?

Table 1 gives examples of some possible data sources. Other sources may be available, so analysts should not limit themselves to these items.

Public involvement can also serve as a source of information to identify community values and needs, to explore the importance of community facilities and resources, to identify those facilities not previously noted, and to validate information collected from other sources.

Table 1. Potential Sources of Information to Check for Environmental Justice Projects		
Source	How to Find the Source	Information/Data Supplied by the Source
HUD	Phone book – blue pages	Section 8 housing info.
U.S. Census Tract & Block data	Library – Govt. Documents Dept. Internet	Demographics Population trends Economic indicators Housing Income
Post Office	Phone book – blue pages	Observations/Impressions
Local Schools & Day Care	Phone book – blue pages	Demographics Observations/Impressions Free or reduced meal programs
Community Groups & Ethnic Associated Business or Social Groups	Library Flyers/Kiosks	Demographics Observations/Impression
Churches	Phone book – yellow pages Windshield survey	Observations/Impressions
Senior Citizen Centers & Housing	Phone book – yellow pages Windshield survey	Observations/Impressions
Neighborhood Businesses (restaurants, grocers, recreational facilities, convenience stores)	Windshield survey Chamber of Commerce Phone book – yellow pages Community groups	Observations/Impressions
Neighborhood Services (soup kitchens & other food or clothing distribution points)	Windshield survey Chamber of Commerce Phone book – yellow pages Community groups	Estimate of number of people using services. Observations/Impressions
Washington State Dept. of Employment Security	Phone book – blue pages	Employment trends Employment rates Economic base
Washington State Dept. of Social & Health Services Local Social Services County Health Dept. Dept. of Community Trade & Economic Development	Phone book – blue pages	Number of people using services Income Demographics Social/Economic Programs
Dept. of Economic Develop. (state, county or city)	Phone book – blue pages	Income Demographic

Source	How to Find the Source	Information/Data Supplied by the Source
Housing Dept. (city)	Phone book – blue pages	Income Demographics Leads to other reports, groups or projects
Tax Assessor's Office	Phone book – blue pages	Income Property values Tax brackets
Ethnic News Organizations	Local library	General information
Police Dept. Precinct Captains Community Policing Squads	Phone book	Impressions/Opinions Community leaders, resources & gathering places
Thrift Stores	Phones book – yellow pages Churches	Impression/Opinions
Libraries (state, local, university)	Phone book – yellow & blue pages	General information Community history Economic base Business information
Historical Societies (local & state) State Historic Preservation Officer	Phone book – blue Library	Community history Location of historic buildings & landmarks
Salvation Army or Good Will Stores	Phone book – white pages	Observations/Opinions
YMCA/YWCA	Phone book – which pages	Observations/Opinions
U.S. Dept. of Health & Human Services	Federal Register (usually Feb.) publishes the poverty threshold. Office of Asst. Secretary for Planning; Rm. 438 F; Humphrey Bld.; Dept of HHS: Washington DC 20201	Annual updates of HHS Poverty Guidelines
Mayor's Office/City Hall	Phone book – blue pages	Demographics Income Leads to other reports, groups, or projects Building permit information
Local Cab Companies	Phone book – yellow pages	Observations/Opinions
Real Estate Booklets, Surveys and Realtors	Phone book – yellow pages	Housing prices Sales trends Age & conditions of structures

Part 5. Analyzing Community Impacts

Guidelines — What should be considered when analyzing community impacts?

After the transportation alternatives and a preliminary community profile have been defined, the analyst identifies and analyzes the impacts of the proposed transportation action on community life. Analysts examine the anticipated future with the transportation action in comparison to the anticipated future without the transportation action (a no-build alternative or baseline). When analyzing impacts, it is important to keep in mind the following guidelines:

- Both positive and negative impacts.
- Both temporary and long-term impacts, as well as secondary and cumulative effects.
- Community goals.
- The public's perception of impacts. If the public identifies issues, then review and research these particular issues.
- The magnitude and context of an issue or controversy, as it determines the level of specificity for the analysis.
- Whether the impacts are disproportionate to low-income or minority populations.

Types of Impacts to be Assessed

The following are examples of the types of impact categories that can be identified and analyzed. The inquiries under the impact categories highlight some of the relevant questions to answer in order to understand how the proposed action affects the community. The analyst could then return to the community profile to obtain detailed information about the proposed project and to collect additional data about the community.

Social Impact

Particular attention should be paid to the following items on protected populations in order to determine disproportionate adverse impacts.

- Changes in Population
 - Will the project cause redistribution of the population or an influx or loss of population?
- Community Cohesion and Interaction
 - How will the project affect interaction among persons and groups?
 - How will it change social relationships and patterns?
- Isolation
 - Will certain people be separated or set apart from others?

Physical Impacts

- Barrier Effect
 - Is a wall or barrier effect created (such as from noise walls or fencing)?
- Sounds
- Will noise or vibration increase?
- Will there be other physical intrusions?
- Will dust or odor increase?
- Will there be a shadowing effect on property?

Visual Impacts

- Aesthetics
 - Will the community's aesthetic character be changed?
- Compatibility with Goals
 - Is the design of the project compatible with community goals?
 - Has aesthetics surfaced as a community concern?

Land Use Impacts

- Land-Use Patterns
 - Will there be loss of farmland?
 - Does the project open or hasten new areas for development?
 - Will the project induce changes in land use and intensity?
 - What changes might be expected?
 - Is the project consistent with local comprehensive plans, policies and zoning?

Economic Impacts

- Business and Employment Impacts
 - Will the proposed action encourage businesses to move to the area, relocate to other locations within the area, close, or move outside the area?
 - What is the impact on both the region and individual communities?
- Short-term Impacts
 - How is the local economy affected by construction activities? Are there both positive (job generated) and negative (detours and loss of access) impacts?
- Business Visibility
 - Will the proposed action alter business visibility to traffic-based businesses?
 - How will visibility and access changes alter business activity?
- Tax Base
 - What is the effect on the tax base (from taxable property removed from base, changes in property values, changes in business activity)?
- Property Values
 - What is the likely effect on property values caused by changes in land use?

Mobility and Access Impacts

- Is access to tribal and other minority commercial and / or subsistence fishing / shellfish harvesting eliminated or changed?
- Pedestrian and Bicycle Access
 - How does the project affect non-motorist access to businesses, public services, schools, and other facilities?
 - Does the project impede or enhance access between residences and community facilities?
 - Does the project divert traffic?
- Public Transportation
 - How does the project affect access or provision of public transportation?
 - Will there be construction impacts?
- Vehicular Access
 - How does the project affect short- and long-term vehicular access to businesses, public services, and other facilities?
 - Does the project affect parking availability?

Impacts to Provision of Public Services

- Use of Public Facilities
 - Will the project lead to or help alleviate overcrowding of public facilities (e.g., schools and recreation facilities)?
 - Will the project lead to or help alleviate underuse?
 - How will the project affect the ability to provide adequate services?
 - Will the project lead to changes in circuitry of access or travel times?
- Displacement of Public Facilities
 - Will the project result in relocation or displacement of public facilities or community centers (e.g., places of worship, clinics, food banks, clothing banks, ethnic centers)?
 - Will new services be needed?

Safety Impacts

- Pedestrian and Bicycle Safety
 - Will the proposed action increase or decrease the likelihood of accidents for non-motorists?
- Crime
 - Will the proposed action increase or decrease the likelihood of crime?
- Emergency Response
 - Will there be a change in emergency response time (fire, police, and emergency medical)?

Displacement Impacts

- Effect on Neighborhoods

- What are the projects effects on the neighborhood from which people move and into which people are relocated?
- Residential Displacements
 - How many households will be displaced?
 - What type(s) of residences (multi-unit homes, single family, rural residential, others) will be displaced?
 - Are there residents with special needs (disabled, minority, elderly residents)?
 - Will subsidies be necessary for displacees?
- Business and Farm Displacements
 - How many businesses and farms will be displaced?
 - What type(s) of businesses and farms will be displaced? Do they have unique characteristics, such as specialty products or a unique customer base, or are they exclusive providers to the community?
- Relocation Sites
 - Can the affected population be moved as a group?
 - Are there available sites to accommodate those displaced?
 - Is there access to employment where displacees would be relocated?
 - Are social services available where displacees would be relocated?
 - Is there access to public transit where displacees would be relocated?

Relationships Among Impacts — How do these effects relate to each other?

It is important for analysts to recognize the interconnections between community impacts, and not to limit themselves to the previous list of questions. They should examine how differing impacts relate to each other, noting direct and indirect impacts as well as the cumulative or counterbalancing impacts of various effects.

Indirect impacts are those caused by direct impacts; they often occur later in time or farther away in distance than direct project impacts. Cumulative impacts result from the incremental impacts of an action added to other past, present, or reasonable foreseeable future actions.

Example: Relationship of Impacts

A proposed project may result in changes in land use (primary impact) such as an increase in housing development (secondary impact) or commercial space in certain locations. As a result, enhanced business activity (tertiary impact) along the corridor may increase the local tax base (fourth level impact) and create jobs; however, overall population growth and local business growth might put additional pressure on public services and lead to overcrowding at public facilities.

The project might create safety problems if children now much cross a wider highway to reach parks or schools, leading to increased reliance on school buses and private vehicles. Overcrowded school and reduced mobility might create other social problems.

The following section of this guideline describes some tools and approaches that may be used to analyze impacts.

Part 6. Selecting Analytical Tools

Basic Approaches — What approaches might be used?

A number of approaches are available to identify and investigate project impacts. The following are basic frameworks that analysts might consider:

- Comprehensive approach — gather and examine as much relevant data as possible, then reach a conclusion.
- Incremental approach — build on information a bit at a time until you reach a conclusion.
- Comparative approach — identify similarities and differences from past experience.

In all cases, the process of examining relationships between a proposed action and a community involves making projections about the future with the project in comparison to the future without the project.

Analytical Aspects — What dimension should be analyzed?

When analyzing specific impacts, the analyst should broadly examine:

- Likelihood of impact
- Scale, severity, and extent of impact
- Duration of impact over time
- Direct and indirect (secondary) impacts
- Cumulative and counterbalancing impacts

The following is a sample of relevant techniques or tools for analysis:

- Statistical Analysis — forecasting, trendline projections, and correlation
- Visual Imaging — plotting various maps (physical characteristics, demographics, and project alternatives) and superimposing them to create a composite image
- Expert Consultation — roundtables, discussions, and reports
- Brainstorming — generating ideas through quick-response reactions
- Delphi Techniques — structured form of reaching consensus among experts for problem solving
- Market Research — focus groups, targeted surveys, interviews, and questionnaires
- Public Meetings — workshops and citizen advisory groups, steering committees
- Public Involvement — helps the analyst identify potential impacts of concern to the community, and determine their severity, extent, and importance

The following are sample techniques to determine the extent of an access problem if a potential barrier is identified:

- Use overlays to superimpose maps of the proposed project, community facilities (e.g., schools), businesses, and the location of patrons. This approach can identify where the project might cut off a pedestrian/bicycle access route and helps determine the number of households where access is restricted.
- Use market research to identify how dependent the users are on current patterns of access (whether alternative services are accessible, whether individuals rely on walking; public transit, etc.).
- Perform comparisons with other areas that have experienced similar road development.
- Use public involvement to identify the degree of public concern and perceptions of barriers within the community.

Part 7. Identifying Solutions

Addressing Impacts — Are they disproportionate or not?

In determining whether or not there is a disproportionate adverse impact, WSDOT should take into account any offsetting mitigation and enhancement measures that will be taken (including those developed through the public involvement and community participation process), and any other offsetting benefits that will accrue to the affected, minority populations or low income populations as a result of the project or project.

What are some examples of specific techniques to address impacts?

The following are approaches to mitigation and enhancement sequencing that could be utilized as reasonable and necessary, consistent with existing law. They should be considered in order:

- Avoiding or minimizing adverse impacts by reducing the degree or magnitude of the action or its implementation.
- Mitigating or eliminating adverse impacts by repairing, rehabilitating, or restoring the affected environment and/or community resource.
- Reducing or eliminating adverse impacts over time by long-term preservation and maintenance operations.
- Compensating for adverse impacts by replacing adversely impacted resources or providing substitute resources or environments that enhance the affected area.

The following are examples of each of the mitigation types:

Avoidance

- Change an alignment so that there are no displacements.
- Redesign a road segment as an underpass to avoid cutting off access to a community facility.

Minimization

- Reroute or shift a highway segment to reduce displacements.
- Limit interchanges to minimize incompatible land-use development.
- Phase the project to minimize impediments to business access during peak shopping periods.
- Alter an alignment to increase the distance between the facility and residences to minimize noise impacts.

Mitigation

- Set aside land for a park or add to public recreation areas to replace lost facilities.
- Erect sound barriers to mitigate noise to surrounding communities.
- Provide a bicycle/pedestrian overpass or underpass to provide access to public facilities.
- Provide compensation for properties acquired (a mandatory measure under the Uniform Relocation Act Amendments).

Enhancement (Note the distinction between Environmental Enhancements and Transportation Enhancements — *See Glossary.*)

- Provide signage to recognize specific cultural or historical resources.
- Develop bicycle trails or paths adjacent to roadways.
- Plant trees and add park benches.
- Add public artwork or a façade to a transportation facility to match the aesthetic design goals of a community.

Community impact analysis should recognize that an effort to address one impact may create other adverse impacts. They should consider the potential impacts of mitigation measures on the community, making sure that approaches support the purpose and need of the project. Whatever approach is selected, it is important to monitor and follow through on commitments.

Commitments should be included in Categorical Exclusion (CE), Finding of No Significant Impact (FONSI), or Record of Decision (ROD) document, as well as in the environmental document.

Public involvement is an important input to help identify acceptable solutions to address adverse impacts.

Part 8. Public Involvement

Public involvement is not intended to be a separate task in the community impact assessment process but should be fully integrated into planning and project development. Analysts should identify and work with the person responsible for project involvement

for each project so that community input is timely, coordinated, and customized to minimize the burden on the public. (Refer to FHWA /FTA's publication, *Public Involvement Techniques for Transportation Decision-making*, for more information.)

The public can provide information for, and assist in validating, each of the following activities:

- Development of the project's purpose-and-need statement.
- Identification and development of alternatives.
- Development of the community profile.
- Identification and investigation of transportation and other impacts to the community.
- Identification of avoidance, minimization, mitigation, and enhancement opportunities.

Public involvement results in better assessments and project decisions that reflect community values. In addition, it enhances the credibility of the assessment process and its outcomes.

Principles — What are guidelines for effective public involvement?

The planning and project development process should provide for an open exchange of information and ideas among the public, community impact analysts, and the entire project-development team. It should provide opportunities for early and continuing communication between the community and key project staff.

Notification of Activities

Notification of activities is important because it lets the public know about proposed actions and that their input is valued. Project staff can facilitate public participation by adhering to the following guidelines:

- Provide clear information and timely public notice (in languages other than English when needed).
- Schedule public meetings or activities that are convenient to the public, such as immediately before or after the workday at a site within the business district, or in the evening at a community center or school within a neighborhood.
- Reach out to the public rather than have them come to you.
- Use nontraditional and informal public involvement notification methods, taking special note to reach traditionally underrepresented populations and their language needs.
- Avoid technical jargon and rephrase issues to encourage participation.
- Contact key stakeholders and community leaders (formal and informal) who can help notify the public.

Public Notification Methods

- Make announcements at the start of town meetings, religious services, and community center events.
- Place posters at local businesses and gathering places, such as hair salons and grocery stores.
- Distribute fliers at schools.
- Use community media, such as local newsletters, newspapers, radio, local public-access television, and public-service announcements to reach residents.
- Internet Web Sites.
- Hot line 800 number.

Ways to Promote Open Dialogue

To facilitate effective communication, the community impact analyst and other members of the project-development team should remember the following keys to promoting open dialogue:

- Provide a non-threatening, open atmosphere.
- Be responsive and honest.
- Be prepared. Know the project, its status, and key contacts. Practice your presentation.
- Use stand-alone, non-technical handouts with maps and other visuals that communicate information clearly.
- Make special efforts to be sensitive to the cultures and etiquette of the affected populations. A local liaison can be helpful to facilitate communication and provide guidance on etiquette. In non-English and limited-English speaking communities, consider multilingual presentations and handouts, as appropriate.

Information techniques tend to work best; for example, holding small, informal meetings rather than large, formal ones; and selecting comfortable meeting places familiar to the community.

Ways of Interacting with the Community

- Public meetings
- Workshops
- Advisory committees, ad hoc task forces, citizen work groups
- Community events (e.g., fairs, block parties, and festivals)
- Presence of a field office near the project site or mobile trailer along an affected route
- Questionnaires and surveys

- Personal contact, displays, and presentations at community activities centers, such as shopping centers
- Newsletters
- Focus groups
- Presentation at community group meetings (Chamber of Commerce, Elks, Eagles, etc.)

Part 9. Documenting Findings

Application of Findings — How are the findings used?

The findings of a community impact assessment are valuable for decision making throughout the project planning and development process. Thus, the “findings” are not merely something produced at the end of the assessment. Findings start by being general in nature, with the community profile providing hints to impacts, then may shift and become more specific as more detailed information is gathered and impact studies force changes in the proposed project. Because of the dynamic nature of communities and changing status of the project, the result of a community impact assessment are continually subjected to change.

Document of Findings — How are findings formally documented?

The written findings are prepared for inclusion, or summarized and referenced, in the NEPA document — the Environmental Assessment (EA) or the Environmental Impact Statement (EIS). This community impact material involves a factual presentation of information and potential impacts for each alternative and provides conclusions about methods to address adverse impacts as well as any proposed enhancements.

In addition, a community impact technical report may be produced as a stand-alone document if the complexity of the project, state procedures, severity of the impacts, or quality of data justify a specialized technical report. Information from such a technical report can be summarized and the report referenced in the NEPA document. If scoping indicates that a community impact technical report is not need, the analyst may move directly into preparing brief text sections on pertinent community topics, to be inserted into the NEPA document.

Because the community impact technical report and NEPA documents are made available to the public, they should be clear and understandable. This information should be an integral part of the public involvement and public hearing process.

Generating a Written Document — When does writing begin?

Documentation begins early and takes place throughout the assessment process. Written findings should be recorded throughout project planning and development while the analyst develops and reevaluates the community profile, assesses and reassess impacts, and identifies solutions for adverse impacts for each alternative. Preparing an outline of the discipline report or NEPA document sections can help facilitate the wrong process and identify data needs during the assessment process.

The Technical Report — How should the community impact technical report be presented?

Since environmental documents are usually prepared to comply with NEPA, it is prudent to use a compatible format for the community impact technical report, as reflected in FHWA guidelines (TA 6640.8A). In addition, there may be state or local requirements.

Community impact assessment information would primarily appear in the Affected Environment (Community Profile) and Environmental Consequences and Mitigation sections of an EIS, but may also appear elsewhere in the document.

- Begin the report with an executive summary.
- Discuss only topics relevant to the project. However, topics identified in 23 USC 109(h) should be addressed, lest it be assumed they were not examined.
- Include a summary of public involvement activities (number of meetings held, continuing efforts, substantive comments).
- Present findings in a clear, non-technical manner, using graphics to aid understanding.
- Use an objective tone in the report. Be aware that an EIS is a public document. Describe the community in a professional manner, avoiding the use of descriptions and terms that suggest a bias or that might offend readers.
- Reach conclusions on each topic discussed. Document concerns, alternative strategies, and commitments.

23 USC 108(h) lists the types of adverse social and economic impacts that can be investigated and documented.

- Noise
- Destruction or disruption of man-made resources, aesthetic values, community cohesion, and availability of public facilities and services
- Employment effects
- Tax and property value losses
- Displacement of people, businesses, and farms
- Disruption of desirable community and regional growth

Part 10. Resources

People — Who can provide more information?

For additional information about the assessment of community impacts of proposed transportation projects, state transportation analysts are encouraged to seek out other specialists within their government unit. In addition, the Federal Highway Administration (FHWA) can provide guidance, through the following contacts:

- FHWA Washington State Division Environmental Program Manager, Olympia, WA
- FHWA Regional Office Environmental Coordinator, Portland, OR
- FHWA Headquarters, Office of Environment and Planning, Environmental Operations Division, Washington, D.C.

A list of State Departments of Transportation (DOT) community impact specialists is available from the FHWA, Office of Environment and Planning, if peer input is desired. WSDOT Environmental Specialists in the Olympia Service Center and Regions are professional sources of information. The Office of Equal Opportunity within the WSDOT is another source of technical expertise in the areas of Title VI and Executive Order 12898 implementation and monitoring.

Publications — What are some published sources that provide more information?

A number of publications are available as references for community impact assessment. These publications include, but are not limited to, the following:

- AASHTO. *Guidelines on Citizen Participation in Transportation Planning*. 1978
- Interorganizational Committee on Guidelines and Principles. *Guidelines and Principles for Social Impact Assessment*. Impact Assessment. Vol. 12, No. 2, Summer 1994, pp. 107-151.
- Methodology of Social Impact Assessment. Community Development Series, Vol. 32. Edited by Kurt Finsterbusch and C.P. Wolf, Dowden, Hutchinson & Ross, Inc., 1977.
- N.C.I. Research. *Understanding Your Economy: Using Analysts to Guide Local Strategic Planning*. Prepared for the U.S. Economic Development Administration, September 1991, 162 pages.
- Salant, Priscilla. *A Community Researcher's Guide to Rural Data*. Island Press, 1990, 93 pages.
- U.S. Department of Transportation, FHWA. Environmental Policy Statement, 1990 and 1994.
- U.S. Department of Transportation, FHWA. "Non-discrimination, Environmental Justice, and Community Impact Assessment in Planning and Project Development," memorandum to FHWA Field Offices, July 1995.
- U.S. Department of Transportation, FHWA and FTA. *Public Involvement Techniques for Transportation Decisionmaking*. Summer 1996.
- U.S. Department of Transportation, FHWA. *Social Impact Assessment: A Sourcebook for Highway Planners, Vol. III: Inventory of Highway Related Social Impacts*. Final Report, June 1982.
- U.S. Department of Transportation, FHWA and FTA. *Innovations in Public Involvement for Transportation Planning*. January 1994.
- U.S. Department of Transportation, Department of Transportation order to address Environmental Justice in minority populations and low-income populations. April 1997.

Glossary

Adverse Impacts

May include, but are not limited to: air, noise, and water pollution and soil contamination; destruction or disruption of man-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and service; vibration; adverse employment effects; displacement of persons, businesses, farms, or nonprofit organization; increased traffic congestion; isolation, exclusion or separation of minority or low income individuals from the broader community; and the denial of, reduction in, or significant delay in the receipt of benefits of DOT programs, policies, or activities. Consideration shall be given to individual or cumulative effects, as appropriate.

Disproportionately High Impacts

The adverse impact is disproportionately high if it is predominately borne by a minority and/or low income population, or if the adverse impact that could be suffered by the minority or low income community is more severe or greater in magnitude than the adverse impact that could be suffered by the non-minority or non-low income community.

Environmental Enhancements

May be added to a transportation project to improve community acceptance (see 1990 FHWA Environmental Policy Statement). Environmental enhancements are incorporated into a project as part of routine decision-making to make it more compatible with and sensitive to community needs.

Environmental Justice

Refers to the process of identifying and addressing disproportionately high and adverse health and/or environmental impacts on minority and low income populations. Incorporating environmental justice into the project development process entails documenting the demographics of affected minority and low income populations, recognizing any adverse impacts associated with the project, and identifying mitigation and enhancement measures to ensure that minority and low income populations are not disproportionately impacted by adverse effects.

Low Income

A person whose median household income is below the Department of Health and Human Services poverty guidelines for that size of household.

Minority

A person who is a citizen or lawful permanent resident of the United States and who is:

- Black (a person having origins in any of the black racial groups of Africa);
- Hispanic (a person of Mexican, Puerto Rican, Cuban, Central or South American, or the Spanish culture or origin, regardless of race);
- Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or
- American Indian or Alaskan Native (a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition).

Transportation Enhancements

Funded through a provision of ISTEA with funds set aside from the Surface Transportation Program. Transportation Enhancements funding may be available to help meet these needs.

Appendix A — Legal Requirements for Environmental Justice

Executive Order 12898

Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations directs each Federal agency to develop an environmental justice strategy that will identify and address disproportionately high and adverse health and/or environmental effects on minority and low income populations within its programs, policies, and activities.

Title VI of the Civil Rights Act of 1964

Section 162(a) of the Federal Aid Highway Act of 1973, Executive Order 12898 on Environmental Justice, National Environmental Policy Act (NEPA), State Environmental Policy Act (SEPA), and other related statutes require that no person because of race, color, national origin, sex, or income shall be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity receiving federal financial assistance. These statutes affect every program area in the federal aid highway program. Consequently, Washington State Department of Transportation (WSDOT) managers and staff should administer their programs in a manner to assure that no one is excluded from participating in, denied the benefits of, or subjected to discrimination by any activity of the federal aid highway program because of race, color, national origin, sex, or income. These statutes do not set forth any specific guidelines.

U.S. Department of Transportation Notice of Final Environmental Justice Strategy

(Federal Register Vol. 60, No. 125. Thurs. June 29, 1995/Notices. Pg. 33896-33899. OST Docket 50125) endorses the enforcement of all applicable planning and environmental regulations with regard to environmental justice. It encourages compliance with the Executive Order by using existing environmental and civil-rights laws, such as the National Environmental Policy Act (NEPA), Title VI of the 1964 Civil Rights Act, the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), and other laws providing for the public health and welfare, public access to information, and public input to Federal agency decisions.

U.S. Department of Transportation (DOT) Final Order to Address Environmental Justice in Minority and Low Income Populations

(Federal Register Vol. 62, No. 72. Tues. April 15, 1997/Notices. Pg. 18377-18381. OST Docket No. OST-95-141 (50125)) contains a scope, policy and ongoing DOT responsibility in preventing disproportionately high and adverse effects on minority or low income populations. The Order generally describes the process that the Office of Administration will use to incorporate environmental justice principles into existing programs, policies and activities, or implement.

Federal Highway Administration (FHWA) Policy on Environmental Justice 1994

Provides examples of adverse impacts and a list of offsetting mitigation and enhancement measures.

It continues to be long-standing FHWA policy that actions subject to the FHWA, NEPA, and related project development process should follow identified procedures and responsibilities, by state DOTs to address the following:

- Identification and evaluation of social, economic, and environmental effects
- Consideration of alternatives
- Involvement of the public and other agencies
- Use of a systematic interdisciplinary staff approach.

As part of the planning, NEPA or other development processes, FHWA and the state DOT shall determine whether a proposed program, policy, project, or activity will have any adverse impacts on minority or low-income populations. In making a determination regarding adverse impacts, representatives of any low income or minority populations that could be affected should be involved to obtain their input on the impact of the project. Adverse impacts shall include, but are not limited to:

1. Air, noise, land, and water pollution;
2. Destruction or disruption of man-made and natural resources;
3. Destruction or diminution of aesthetic values;
4. Destruction or disruption of community cohesion;
5. Destruction or disruption of the availability of public and private facilities;
6. Injurious displacement of people;
7. Adverse employment effects;
8. Injurious displacement of businesses, firms, housing, and people;
9. Tax and property value losses;
10. Increased traffic congestion;
11. Exclusion from public involvement; and
12. The denial of, or significant delay in the receipt of benefits from DOT programs, projects, policies, or activities.

In determining whether or not there is an adverse impact, we will take into account any offsetting mitigation or enhancement measures that could be taken (including those developed through the community participation and public involvement process), or any other offsetting benefits that will accrue to the low-income or minority population as a result of the program, project, or activity.

The following are mitigation and enhancement measures that could be utilized as necessary:

1. Avoiding or minimizing impacts by reducing the degree or magnitude of the action or its implementation.
2. Mitigating or eliminating the impact by repairing, rehabilitating, or restoring the affected environment and/or community resources.
3. Reducing or eliminating the impact over time by long-term preservation and maintenance operations.
4. Compensating for the impact by replacing adversely impacted resources, or providing substitute resources or environments that enhance the area.